



08-01-00

SPECTOR

#3

526 Rec'd PCT/PTO 31 JUL 2000

PATENT DOCKET 204,610

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/555534

APPLICANT: ENSOLI EXAMINER:

SERIAL NO.: 09/555,534 ART UNIT.:

FILED: May 31, 2000

TITLE: HIV-1, TAT, OR DERIVATIVES  
THEREOF FOR PROPHYLACTIC  
AND THERAPEUTIC VACCINATION

DATE: July 31, 2000

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

SIR:

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10This correspondence is being deposited with the United States Postal Service on  
July 31, 2000 in an envelope as "Express Mail Post Office to Addressee" Mailing Label  
Number EK 051 386 861 US addressed to the Honorable Commissioner for Patents,  
Washington, D.C. 20231.

08/04/2000 ERIMWDO 00000040 09555534

01 FC:154

130.00 OP

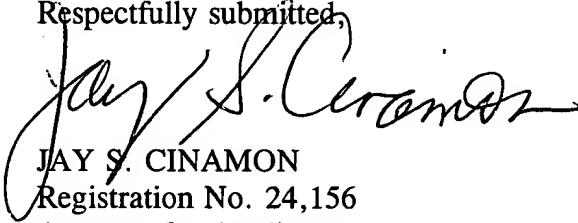
REMARKS

In response to the Notification of Missing Requirements under 37 C.F.R. §371 of June 29, 2000, we enclose herewith properly executed Declaration in compliance with 37 CFR 1.497(a) and (b).

We enclose our check for \$130.00 covering the cost of the surcharge for the late filing of the executed Declaration.

Please charge any other fees which may be due to our Deposit Account No. 01-0035.

Respectfully submitted,



JAY S. CINAMON  
Registration No. 24,156  
Attorney for Applicant

ABELMAN FRAYNE & SCHWAB  
150 East 42nd Street  
New York, New York 10017-5612  
Tel. (212) 949-9022  
Fax (212) 949-9190

09/555534

09/555,534



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

B

204,610

|                      |                       |                  |
|----------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|                      | 5611                  |                  |

JAY S CINAMON  
ABELMAN FRAYNE & SCHWAB  
150 EAST 42ND STREET  
NEW YORK NY 10017

PCT/EP98/07721

INTERNATIONAL APPLICATION NO.

I.A. FILING DATE / 98 PRIORITY DATE / 97

DATE MAILED: 06/29/00

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed May 31, 2000 and \_\_\_\_\_
- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

*John Anderson*  
Telephone: 703 308-7116